

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

FILED  
U.S. BANKRUPTCY COURT X  
NORTHERN DISTRICT OF IOWA

NOV 26 1996

GEORGE D. PRENTICE, II

In re:

RANDY LYNN MILLER and  
MARY ANN MILLER,

Debtors.

Chapter 7

Bankruptcy No. 96-52213XS  
Contested No. 6145

JUDGMENT

The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED, ADJUDGED AND DECREED that the judgment lien of Hawkeye Adjustment Service, arising in Small Claim No. 58185 in the Iowa District Court for Woodbury County, in

Lot Eight (8), Block Forty-two (42), Hornicks 3<sup>rd</sup>  
Addition, City of Sioux City, County of Woodbury and  
State of Iowa

is avoided.

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George D. Prentice, II  
Clerk of Bankruptcy Court

By: *George D. Prentice, II*  
Deputy Clerk

[Seal of the U.S. Bankruptcy Court]  
Date of Issuance: November 26, 1996

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GEORGE D. PRENTICE, II

IN RE	CHAPTER 7
RANDY LYNN MILLER AND MARY ANN MILLER,	CASE NO. X-96-52213XS
Debtors.	CONTESTED NO. 6145

JUDGMENT AVOIDING LIEN WHICH IMPAIRS DEBTOR'S EXEMPTION

The above-captioned adversary proceeding duly came on before the undersigned Bankruptcy Judge on the 26<sup>th</sup> day of Nov, 1996. The Debtors appeared by their attorney, Craig H. Lane. Hawkeye Adjustment Service appears not nor any one for them.

It appearing to the Court that:

1. That Hawkeye Adjustment Service obtained Judgment against the Debtors in the approximate sum of \$289.16 plus costs and interest in the District Court of the State of Iowa in and for Woodbury County in Small Claims No. 58185.

2. The lien impairs an exemption to which Debtors would have been entitled under 11 U.S.C. 522 (b) and/or Section 561 Code of Iowa.

3. That the this Judgment constitutes a judicial lien on the real property of the Debtors located at 177 W. 5th Street, Sioux City, Woodbury County, Iowa, and legally described as follows:

Lot Eight (8), Block Forty Two (42), Hornicks  
3rd Addition, City of Sioux City, County of  
Woodbury and State of Iowa.


4. That the above referred to real estate was

claimed exempt under Iowa Code Section 561.16(1) as the homestead of the debtors. No objections were filed by any party or the trustee to said exemption.

5. The existence of Hawkeye Adjustment Service's judicial lien on debtors' said real property impairs exemptions to which the debtors are entitled under the laws of the state of Iowa.

IT IS ORDERED that the above-referred judicial lien and security interest in said exempt property be, and the same hereby is, avoided, canceled and removed.

SO ORDERED THIS 26 DAY OF NOVEMBER 1996.

  
\_\_\_\_\_  
William L. Edmonds, Chief Bankruptcy Judge

I certify that on 11-26-96 I mailed a copy of this order and a judgment by U.S. mail to: Craig Lane, Don Molstad, Thomas Vakulskas, Hawkeye Adjustment and USTrustee.  
~~U. S. Trustee~~, JS